

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 15, 2018

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jessica A McKinney Case Number: 0980 2:10CR00062-RMP-2

Address of Offender: Moses Lake, Washington 98837

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: February 22, 2011

Original Offense: Possession with Intent to Distribute 50 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, a Schedule II Controlled Substance, 21 U.S.C. § 841(a)(1) and (b)(1)(B)(viii), and 18 U.S.C. § 2

Original Sentence: Prison - 87 months; TSR - 48 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: George J. C. Jacobs, III Date Supervision Commenced: May 3, 2017

Defense Attorney: Curran C. Dempsey Date Supervision Expires: May 2, 2021

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 07/20/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
5	<u>Mandatory Condition # 4:</u> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: The offender is considered in violation of the conditions of supervision by testing positive for the use of a controlled substance, methamphetamine, on July 25, 2018

On May 4, 2017, Ms. McKinney signed a copy of the judgement imposed in this case indicating that she fully understood the conditions imposed and had been provided a copy of them.

On May 4, 2017, the probation officer instructed Ms. McKinney on the rules of the substance abuse testing program, which included for the offender to call Grant Integrated

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Services daily and to report when the color group Brown was indicated. On July 25, 2018, Ms. McKinney reported to Grant Integrated Services as directed and submitted a urine sample which tested presumptive positive for methamphetamine. On August 1, 2018, the sample was confirmed positive for the use of methamphetamine by Alere Toxicology Services, Inc.

- 6 **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is considered in violation of the conditions of supervision by failing to report for urine drug testing on July 31, 2018, as directed by the probation officer.

On May 4, 2017, Ms. McKinney signed a copy of the judgement imposed in this case indicating that she fully understood the conditions imposed and had been provided a copy of them.

On May 4, 2017, the probation officer instructed Ms. McKinney on the rules of the substance abuse testing program, which included for the offender to call Grant Integrated Services and to report for a urine test when the color group Brown was indicated. On July 31, 2018, the color group Brown was directed to report for a urine test by Grant Integrated Services. On July 31, 2018, Grant Integrated Services reported that Ms. McKinney failed to report for drug testing.

- 7 **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is considered in violation of the conditions of supervision by failing to report for urine drug testing on August 1, 2018, as directed by the probation officer.

On May 4, 2017, Ms. McKinney signed a copy of the judgement imposed in this case indicating that she fully understood the conditions imposed and had been provided a copy of them.

On August 1, 2018, the probation officer directed Ms. McKinney to report to Grant Integrated Services for a urine drug test, as a result of her missing the drug test on July 31, 2018. On August 1, 2018, Grant Integrated Services reported that Ms. McKinney failed to report for drug testing.

- 8 **Special Condition # 19:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is considered in violation of the conditions of supervision by failing to report for urine drug testing on August 7, 2018, as directed by the probation officer.

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On May 4, 2017, Ms. McKinney signed a copy of the judgement imposed in this case indicating that she fully understood the conditions imposed and had been provided a copy of them.

On May 4, 2017, the probation officer instructed Ms. McKinney on the rules of the substance abuse testing program, which included for the offender to call Grant Integrated Services and to report for a urine test when the color group Brown was indicated. On August 7, 2018, the color group Brown was directed to report for a urine test by Grant Integrated Services. On August 7, 2018, Grant Integrated Services reported that Ms. McKinney failed to report for drug testing.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/14/2018

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

8/15/2018

Date